

Official Minutes for Webb County Commissioners Court Meeting

Monday, June 26, 2006 at 1:00 PM
and continuing Tuesday, June 27, 2006 at 1:00 PM
(Approved 07-24-2006)

- Item No. 1 Call to order by Judge Louis H. Bruni
Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 1:00 p.m. at the regular meeting place with the following members present to wit:
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| Louis H. Bruni | County Judge |
| Frank Sciaraffa | Commissioner, Pct. 1 |
| Judith Gutierrez | Commissioner, Pct. 2 |
| Jerry Garza | Commissioner, Pct. 3 |
| Cindy Cortez-Brunner | Commissioner, Pct. 4 |
- Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 23rd of June 2006. Present also were Ms. Nora Elia Prado, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.
- Item No. 2 Roll Call – Margie Ramirez Ibarra, Webb County Clerk
- Item No. 3 Pledge of Allegiance – Led by All
- Item No. 4 Approval of minutes – May 8, 2006, May 15, 2006 and May 22, 2006
- Judge Bruni motioned to approve the minutes as submitted. Cmr. Gutierrez seconded the motion.
- Motion carried 5-0 by unanimous consent.
- Item No. 5 Approval of bills, payroll and monthly reports
- Ms. Delia Perales, County Treasurer, submitted her monthly report ending May 2006 to the court.
- Judge Bruni stated that he was concerned about the lack of damage fees being assessed for drilling done on county properties and county school lands. He stated that he is proposing the hiring of a County Landman to oversee these properties in his proposed budget. He stated that it was unacceptable that nothing has been done. He also requested a full report from the County's attorneys in Houston regarding this issue.

Cmr. Gutierrez motioned to approve the Treasurer's Report as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Leo Flores, County Auditor, submitted a pamphlet to the court regarding Public Financing and Bond Issuance for their information. He also submitted a report requested the last week's special meeting. He stated that the report shows the payroll line items that are in deficit, totaling over \$160,000 total. He stated that it was a violation to continue to pay funds from a line item that is in deficit but that employees continue to be paid out of accounts that are in deficit. He stated that there has been an instance of a Part Time line item being created in a department without being brought to the court for approval. He stated that the Justice Center Security Part Time account was budgeted for \$30,000 but was already over budget by November. He stated that there are 41 part time employees being paid out of that account. He stated that the Payroll Department has no control over the number of employees being paid out of part time accounts. He stated that some Unemployment Fund line items are also overdrawn since the amount paid depends on the number of persons who file for unemployment benefits. He stated that the county has the option to fight the claims but that oftentimes, the county doesn't respond so the claims are approved. Cmr. Gutierrez stated that she was unaware if the transfers necessary for the Self Help Center had been done since it was funded by grants. Mr. Flores stated that what needed to be done were line item transfers before the next payroll cycle to be sure that these accounts are brought out of deficit. Ms. Delia Perales, County Treasurer, stated that another area of concern regarding the Unemployment Fund was the fact that the Head Start and JJAEP employees are laid off for the summer and file for unemployment benefits. Cmr. Gutierrez stated that these departments should have a line item in their budget to cover the charge backs for these unemployment benefits. Judge Bruni stated for the record that he did not spend monies not allotted in his budget. He stated that the line item transfer to his Part Time line item was already planned but that his staff neglected to place it the item on the agenda before it went over budget. He stated that it was Ms. Perales' responsibility to advise the court when any department is going over budget but that it was inexcusable to go over budget on his Part Time line item. He stated that he had an item on the agenda to transfer the monies necessary.

Cmr. Gutierrez motioned to approve the Auditor's Report on Line Item Deficits as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 6 Communications

Judge Bruni sent his condolences to the family of Mr. William "Bill" W. Wise who passed away on June 15th. He sent best wishes to Mr. Natalio Castillo who was gravely ill at a local hospital. He congratulated Ms. Ana Rodriguez, Ms. Laredo 2006 for making to the top 16 in the Ms. Texas Pageant and for being crowned Ms. Congeniality.

Cmr. Sciaraffa welcomed Constable Ruben Reyes to today's meeting.

Cmr. Gutierrez stated that she felt that this was the appropriate time to approach the city in regards to the construction of the 5th International Bridge. She stated that she has met with new City Mayor Raul Salinas and felt that he was very amenable to meeting with the county to discuss the bridge and other issues such as the colonia water/sewer projects. She stated that there will be a shortage in some of the colonia projects due to unexpected costs in some but that the RFQs for these projects should be done as soon as possible to be able to see how much of a shortfall we can expect. She stated that there may be some extra monies available from the Water Development Board since there were some excess monies from the La Joya project and feels that the county should get in line for some of those additional funds available.

Judge Bruni stated that Mayor Salinas was a new mayor for the city and a new government with which the county would be able to have talks with once more. He stated that Mayor Salinas will do what is right not only for the citizens of Laredo but the taxpayers of Webb County as well.

Cmr. Garza congratulated Mayor Salinas as well as the new City Councilmen for their recent swearing in. He stated that a lot of things are going to change in how the city and county work together. He stated that there are several areas in which the county and city can cooperate on to avoid duplication of services and save some taxpayer's money, similar to the agreements between Bexar County and the City of San Antonio.

Cmr. Cortez-Brunner congratulated Mayor Salinas and the new City Councilmen. She stated that she looked forward to working with them.

Item No. 7 Public Comment

Mr. Anthony Peterson was present to address Item No. 11 and No. 34. He stated that Item No. 11 would benefit Webb County by bringing vital information from the national level to everyone locally. He stated that Item No. 34 was a worthwhile grant that would be used to upgrade and improve security.

Ms. Mari Franco, Agape Angels, was present to address Item No. 11. She thanked the Court for their support of this very important item. She stated that this was the first time that a group from Laredo has been invited to attend the National Federation for the Blind conference in Dallas, Texas. She stated that they will be able to bring back information to educate the community, schools and business on the advances being made to help visually impaired persons and what resources are available for them. She stated that Cmr. Garza has already agreed to sponsor one person's travel for a total of \$750 but that they will still be approximately \$500 short.

Ms. Cassandra Luna, Agape Angels, was present to address Item No. 11. She thanked the court for any assistance that they can offer them for this trip. She stated that any assistance is greatly appreciated and this conference will benefit those who are visually impaired.

Judge Bruni commended Ms. Franco and Ms. Luna for their presence today. He stated that the court will look for the additional monies needed for their trip and that

if they were unable to locate the monies from county funds, he would get it from a private venue.

Cmr. Sciaraffa motioned to move up Item No. 11. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 11 Discussion and possible action to appropriate \$750.00 dollars to the Agape Angels for their up coming conference expenses. This money would be taken from account #001-2100-03. [This is co-sponsored by Commissioner Judith G. Gutierrez].

Cmr. Garza stated that this item was not only sponsored by himself and Cmr. Gutierrez but a court effort since it was supported by everyone. He stated that after looking into this line item, he was able to locate additional funding from this account to cover the \$750 and the \$500 needed.

Cmr. Garza motioned to approve this item for a total of \$1,250. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 8 Discussion and possible action to approve the following line item transfer:

From:	Payroll	\$15,040
	FICA	1,150
	Retirement	1,080
	Insurance	2,565
	Workers Comp	100
	Unemployment	65
To:	Temporary Part-Time	\$20,000

Judge Bruni motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 9 Discussion and possible action to approve change order #1 to the Santos Sierra, A1 Construction contract (HUD-NI Contract # B-00-NI-TX-WC0002) by adding FOUR THOUSAND SIX HUNDRED FORTY DOLLARS AND NO CENTS (\$4,640.00) for the unforeseen need to replace the entire roof of Mr. Carlos Saldana's home, located at 1012 Espejo Molina, Rio Bravo. [Acct #503-6501-7037-3]

Cmr. Sciaraffa stated that these monies are from a \$1 million grant appropriated for the rehabilitation of homes in Rio Bravo and El Cenizo.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 10 Discussion and possible action to approve the submission of an application to the U.S. Department of Justice Edward Byrne Memorial State and Local Law Enforcement Assistance Discretionary Grants Program in the amount of \$49,000.00 for improvements to the existing Webb County pistol and rifle range that will facilitate and improve training opportunities for Webb County law enforcement personnel.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 12 Status report on CPR update on CAA Neighborhood Community Center Caseworkers and other departments under CAA

Mr. Mike Kazen, CAA Director, stated that all but two caseworkers and management have received CPR training and become CPR certified by the American Heart Association. He stated that the employees of the Elderly Nutrition, Meals on Wheels and Rural Transportation programs will be sent for CPR training either with the American Heart Association or the Red Cross. He stated that the two caseworkers that are pending certification were hired after the training had taken place. He thanked the Court and Cmr. Cortez-Brunner for getting them started on this very necessary training.

- Item No. 13 Report from Sergio Delgado, Chief Appraiser from Webb County Appraisal District, on the process used to determine increases in property valuations on homes and business annually.

Mr. Sergio Delgado, Webb County Appraisal District Chief Appraiser, was present to address the court. He thanked the court for inviting him to make a presentation. He stated that parts of the presentations being submitted today have been published as well as addressed in an editorial in the Laredo Morning Times. He gave the court a brief history of the creation of the Webb County Appraisal District (WBCAD). He stated that procedures are used to determine the valuation of a property based on cost to build, income & expense, and comparable sales. He stated that residential homes valuations are set depending on the current cost to build and comparable sales. He stated that commercial property values are assessed based on cost to build, income and expense and comparable sales. He stated that the Appraisal District (AD) is a tool used by the state to fund school districts and they are audited annually. He stated that if the AD fails the audit, the State will penalize the school districts. He stated that L.I.S.D. has been put on notice that their margin of error on property valuations was more than 5% so they were placed on a property grace period. He stated that Laredo has always been below property valuations but that the AD has not been given the authority by the legislature to have access to sale

disclosures to allow them to see how much a property actually sold for. He stated that property owners do have rights and can bring supporting documentation to show whether there is property damage, the correct selling cost or the lack of being able to sell the property at the appraised value. He stated that those persons who are the most upset about property valuation increases tend to not have any supporting documentation with them when they appear at their hearing. He stated that House Bill 3 would also affect Webb County and the WCAD in that it changes the time that a drilling rig must be in place in order to be taxes to one year. He stated that this affected \$69 million of the tax roll. He stated that HB3 also lowered the school district's responsibility in the AD's funding so the county's funding must be increased which will result in an increase in voting power for Webb County. Cmr. Cortez-Brunner stated that even though the period to protest the valuations has passed, people can still visit the AD to discuss their valuations. Mr. Delgado recommended that those visiting the AD to discuss their valuations bring any important documentation to support their concerns. He stated that the Legislature has given the Comptroller of Public Accounts the power to place the AD under Receivership if they fail to appraise properties as per the State's instructions. He stated that if placed under receivership, the State would appoint a committee to value the properties with the residents having no additional recourse to contest their valuations. Cmr. Garza stated that there was a fine balance between helping homeowners and taking school funding into consideration. He stated his disapproval with the Senate's rejection of a proposed federal minimum wage increase to \$7.25. He stated that though Webb County has a low unemployment rate, most of the employment is in the service industry at minimum wage. Judge Bruni stated that Webb County and the city of Laredo are going through a tremendous growth rate and the U.I.S.D. has the highest tax rate. Cmr. Gutierrez thanked Mr. Delgado for this presentation. She stated that a lot of people are not aware of the inner working of the Appraisal District as well as what the county does to alleviate the taxpayers' costs. She stated that the county needed to do the responsible thing and look for additional sources of revenue.

MEDIA BREAK (3:00 PM to 3:27 PM)

- Item No. 14 Discussion and Possible Action Authorizing Final Payment to Gibson & Associates in the amount of \$30,890.49 for the preparation and presentation of the Presidential Permit for Webb County's International Bridge No. 1.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Mr. Carlos Villarreal, Executive Administrator, stated that the contract with Gibson & Associates expired two months ago and that they have been in negotiations for these past two months to close their account. He stated that this work was done but that no monies were available at the time to process this for payment.

Motion carried 5-0 by unanimous consent.

- Item No. 15 Discussion and possible action to approve the following line item transfer:

From:	Payroll Savings Sheriff Departments	\$164,500
001-2060-6202	Uniforms	23,100
001-2001-6202	Uniforms	66,200
001-2001-6403	Vehicle Maintenance	69,300
001-2600-5601	Admin Travel	6,500
To:		
001-2600-5005	Temp Part-Time	\$160,500
001-2062-6208	Groceries	169,100

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Mr. Carlos Villarreal, Executive Administrator, stated that a very fruitful meeting was held with the Sheriff's staff, Mr. Leo Flores, County Auditor, Mr. Eloy Ramirez, Purchasing Agent, Mr. Homero Ramirez, County Attorney and himself regarding this issue. He stated that \$100,000 was originally to be taken from the County Attorney's budget to help with the payroll deficiencies but the Sheriff was able to locate additional savings in other accounts. He stated that those monies will now be used to pay for the meals prepared by the jail for the Juvenile Detention Center that total approximately \$97,000. He stated that the Sheriff's accounts will be closely monitored but that the line item transfers being made today should cover any deficiencies to the end of the fiscal year. Mr. Flores stated that the \$160,500 being transferred to Temporary Part-time includes the 16% for benefits. Ms. Delia Perales, County Treasurer, requested that the monies for the benefits be broken down into their appropriate line items so those line items don't show a deficiency at the end of the fiscal year. Mr. Tom Sanchez, Sheriff's Department, submitted to the court a financial analysis made of the Sheriff's department budget and how they stand.

Motion carried 5-0 by unanimous consent.

Item No. 16 Discussion and possible action to approve the following line item transfer:

From:	Repairs & Maintenance	\$5,500.00
To:	Fuel & Lubricants	\$5,500.00

Cmr. Garza motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 17 Discussion and possible action to accept an Assignment of Interest concerning three (3) copiers located at the Webb County Clerk's Office from Government Capital Corp. to Roy W. Richards, and authorizing the County Judge to execute all relevant documents. [Requested by Webb County Attorney]

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 18 Discussion and possible action to enter into a Service Agreement with Ana Maria Peña, registered dietician, for children enrolled in the Webb County Head Start Program for a period of one year (October 1, 2006 through September 31, 2007), at reduced fees as set forth in the agreement, authorizing an Exemption from section 262.023 Local Government Code (Competitive Bidding and Competitive Proposal Requirements), and authorizing the County Judge to execute all relevant documents.[Requested by Head Start]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 19 Discussion and possible action to approve Resolution to become a member of the Local Government Purchasing Cooperative which includes commitment to pay membership assessments in the amount of TWO HUNDRED DOLLARS (\$200.00) annually. [Requested by the Webb County Purchasing Department]

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 20 Discussion and possible action to enter into Interlocal Participation Agreement with The Local Government Purchasing Cooperative, authorize payment of the first year's membership assessment in the amount of \$200.00, and authorizing the Webb County Judge to execute all relevant documents. [Requested by the Webb County Purchasing Department, Funding Source: Account No. 001-0600-6011 (Training and Education)]

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 4-0 with Cmr. Garza not present for voting.

- Item No. 21 Discussion and possible action to enter into a one (1) year (January 1, 2006 thru December 31, 2006) service agreement with AA Builders d/b/a Juan A. Doniz for installation of water heaters not to exceed ONE HUNDRED EIGHTY (\$180.00) or TWO HUNDRED FIVE DOLLARS (\$205.00) per installation, depending on unit bid, and authorizing the County Judge to sign all relevant documents. [Bid No. 2005-52 "Water

Heaters". Requested by C.A.A. Department; Account No. 911-4227-7018 (State Grant)]

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 4-0 with Cmr. Garza not present for voting.

- Item No. 22 Discussion and possible action to enter into a one (1) year (January 1, 2006 thru December 31, 2006) service agreement with Chavarria's Plumbing, Inc. for installation of: window A/C units not to exceed \$165.00 per unit, space heaters not to exceed \$128.00 per unit, and refrigerators not to exceed \$98.00 per unit, and authorizing the County Judge to sign all relevant documents. [Bid No. 2005-51 "Window A/C units, Space heaters, and Refrigerators". Requested by C.A.A. Department; Account No. 911-4227-7018 (State Grant)]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 4-0 with Cmr. Garza not present for voting.

- Item No. 23 Discussion and possible action to enter into a two (2) year (June 1, 2006 thru May 31, 2008) NON-FINANCIAL COOPERATIVE AGREEMENT with South Texas Workforce Development Board for Webb County to provide workforce training locations in the various CAA programs for individuals referred/placed by the Board, and authorizing the County Judge to sign all relevant documents. [Requested by C.A.A. Department; Account No. (None affected)]

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 4-0 with Cmr. Garza not present for voting.

- Item No. 24 Discussion and possible action to approve the following line item transfer:

FROM:	001-2503-6014	Equipment Rental	\$1,080.00
TO:	001-2503-6204	Fuel and Lubricants	
FROM:	001-2503-5601	Administrative Travel	\$ 800.00
TO:	001-2503-6204	Fuel and Lubricants	
FROM:	001-2503-6402	Repairs & Maint. Equip	\$1,000.00
TO:	001-2503-6403	Repairs & Maint. Vehicles	
FROM:	001-2503-6402	Repairs & Maint. Equip	\$ 200.00
TO:	001-2503-6205	Materials & Supplies	
FROM:	001-2503-6007	Dues & Memberships	\$ 400.00
TO:	001-2503-6202	Uniforms	

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 4-0 with Cmr. Garza not present for voting.

Item No. 25 Discussion and possible action to approve the following title changes:

	Slot #	Title
FROM:	1984	Deputy Constable
TO:	1984	Lieutenant
FROM:	1985	Deputy Constable
TO:	1985	Captain
FROM:	2140	Assistant Chief Administrator
TO:	2140	Deputy Constable

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 4-0 with Cmr. Garza not present for voting.

Item No. 26 Discussion and possible action to approve the following line item transfer: (District Attorney's Office)

From:	Repairs & Maintenance	\$1,000.00
To:	Fuel & Lubricants	\$1,000.00

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 4-0 with Cmr. Garza not present for voting.

Item No. 27 Discussion and possible action to accept award of \$20,245.00 for FEMA Emergency Food & Shelter Program Phase # 24, for utility and rent assistance for low income families.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 4-0 with Cmr. Garza not present for voting.

Item No. 28 Discussion and possible action to fill slot # 2011, full-time with benefits, at a salary of \$35,000.00, and fill slot #1439, full-time with benefits and a salary of \$30,000.00 effective June 27, 2006. [Funds are to come from account # 920-4200-5001. No impact to the General Fund]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Mr. Mike Kazen, CAA Director, stated that the positions in question are for Manager of Community Services and Director of Programs. He stated that these slots are strongly recommended by the funding source.

Motion carried 5-0 by unanimous consent.

- Item No. 29 Discussion and possible action to approve payment of \$1,550.00 for assistance provided to clients through the Homeless Prevention grant which ran from October 2003 through July 2005, which funds were subsequently disallowed. [Funds are to come from account # 001-0112-7200-08]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 30 Discussion and possible action to fill slot #1556 (Maintenance/Driver) at a wage rate of \$8.57 per hour, part-time with no benefits.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 31 Discussion and possible action to accept the following grant awards from the Governor's Division of Emergency Management, Homeland Security Grant Program-Border Interoperability Program in the amounts of:

2004 HSGP	\$ 20,802.00
2004 SHSP	\$297,857.47

These grants will not require any matching funds.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 32 Discussion and possible action to approve a non-financial amendment to Webb County's contract with the Texas Parks and Wildlife Department to extend Webb County's 2005-2006 Community Outdoor Outreach Program to May 15, 2007. [This extension will have no impact on the general fund]

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 33 Discussion and possible action to approve the purchase of a VHF Mutual AID Channels – TX Law 1 and TX Law 2, C99ED Quantar VHF 125 Watt – T22R Base Station for the Sheriff's Department Radio Communications, with Homeland Security Grant Project-Border Interoperability funds, (2004 – LETPP) Governor's Division of Emergency Management, in the amount of \$20,752.00. [This purchase will have no impact on the general fund]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 34 Discussion and possible action to approve the purchase of specialized radio equipment, upgrade radios for all Webb County Law Enforcement, enhance the capability of state and local agencies to prevent, respond to incidents of terrorism, with Governor's Division of Emergency Management, Homeland Security Grant Project-Border Interoperability funds, (2004-SHSP) in the amount of \$297,857.47. [This purchase will have no impact on the general fund]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Mr. Juan Vargas, Economic Development Director, stated that the list of equipment was prepared by Mr. Mario Cavazos, Radio Communications Director, and includes 13 radios for the constables' offices. He stated that this purchase is coming from the FY 2004 funding and that there would be additional funding from FY 2005 funding to purchase additional equipment. He stated that not everyone is included with this purchase due to funding restraints. Mr. Tomas Rodriguez, County Engineer, stated that those persons designated as first responders will be getting this equipment, including constables.

Motion carried 5-0 by unanimous consent.

- Item No. 35 Discussion and Possible Action Authorizing the Utilities Department to fill Slot 1538 - Operator I, at \$10.08 per hour.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 36 Discussion and Possible Action Authorizing Final Payment and Retainage to Ramos Industries, Inc. in the amount of \$14,271.63, for the TWDB-EDAP Waste Water Collection System project at El Cenizo.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 37 Discussion and Possible Action Authorizing Final Payment and Retainage to Mejia Engineering in the amount of \$7,587.00 for the Texas Water Development Board- Economically Distressed Areas Program Project water line replacement project in Rio Bravo.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 38 Discussion and Possible Action Approving Webb County's Amended Emergency Management Plan.

Mr. Tomas Rodriguez, County Engineer, stated that the amended plan includes some revisions of law and new equipment for first responders. He stated that they are looking into purchasing equipment to be used in the event of an emergency. He stated that they will need to prioritize which county buildings will need to have electricity restored in the event of a natural or other emergency. Judge Bruni stated that the first building should be the Sheriff's Office since it will be the headquarters during an emergency.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 39 Discussion and possible action to approve the following line-item transfers:

FROM:	001-1102-6007	Dues & Membership	\$ 1,000.00
	001-1102-6900	Expert Witness	\$ 100.00
	001-1102-6950	Investigative Expenditure	\$ 45.00
TO:	001-1102-6010	Books & Subscription	\$ 1,145.00
FROM:	001-1102-6007	Dues & Memberships	\$ 1,000.00
TO:	001-1102-6022	Professional Services	\$ 1,000.00
FROM:	001-1102-6014	Equipment Rental	\$ 1,200.00
TO:	001-1102-6205	Material & Supplies	\$ 1,200.00

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 40 Discussion and possible action to approve and/or ratify the purchase of one (1) 50 HP pump from Carroll Childress Company in the amount of

\$6,783.77 and a rental of crane for \$285.00 from Aranda Iron Works, Inc. for the Casa Blanca Golf Course Improvements Phase I Project for the Engineering Department. [ACCT: 665-6001-8601; BAL: \$275,033.23]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 41 Discussion and possible action to request an appraisal for the Juvenile Detention Center and property.

Judge Bruni motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 4-1 with Cmr. Cortez-Brunner voting against.

Item No. 42 Discussion and possible action to solicit bids for the Sale of the Detention Center facility and property located at 1300 Chicago, Laredo, Webb County, Texas.

Mr. Carlos Villarreal, Executive Administrator, stated that this item was placed on the agenda to be able to see how much the facility is worth. He stated that there was the possibility of using the monies from the sale of this property for the construction of the new facility. He requested that this item be tabled since an appraisal will be done.

Judge Bruni motioned to table Item No. 42. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 43 Discussion and possible action to approve the Request for Qualifications for the Management Information Director position.

Cmr. Sciaraffa motioned to approve item as submitted. Judge Bruni seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 44 Discussion and possible action to solicit bids for Security Guard Services for the Community Supervision and Corrections Department.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 45 Discussion and possible action to approve the following line item transfer: (Quad City Community Center)

From:	Books & Subscription	\$2,500.00
To:	Repairs & Maintenance of Buildings	\$2,500.00

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Ms. Alice Medina, Larga Vista Center Director, stated that she was present on behalf of Mr. Garcia, Center Director, who was attending a community function at Mirando City. She stated that he normally purchases books from this account but that the need to fumigate for bats was unexpected. Judge Bruni stated that he was concerned about the lack of providers for fumigation services and the fact that monies allotted for books would not be used to fumigate for bats. Cmr. Gutierrez stated that it was not Mr. Garcia's choice to transfer the funds from this line item but that was where he had the monies available. She requested that if possible, the monies be replaced at a later date from another account. Mr. Leo Flores, County Auditor, stated that the court could not change the line item at this time but that he would look for additional funds if needed at a later date.

Motion carried 5-0 by unanimous consent.

Item No. 46 Discussion and possible action for the approval to transfer funds from account #001-2984 to Claims Paid Account to cover general liability claims.

From:	Account #001-2984	\$160,000.00
To:	Account #001-0105-9201	\$160,000.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Garza seconded the motion.

Mr. Carlos Villarreal, Executive Administrator, stated that he has discussed this item with Ms. Cynthia Mares, Risk Manager. He stated that the \$150,000 budgeted has already been expended. He stated that the court will need to start clamping down on those individuals who take this issue lightly and pass down more of the responsibility to the department heads and individuals responsible for these accidents. He stated that these claims not only cover accidents caused by employees driving county owned vehicles but those of employees who use their personal vehicle for county business. He stated that county policy states that three violations are grounds for termination but that there are several employees with six or seven violations that continue to work. He stated that the county is self-insured so the monies for these repairs, legal expenses and settlements come out of county funds and that some monies that were set aside for ADA compliance had to be used for this item. He stated that he would prepare and present to the court a more stringent policy in regards to this issue at the next meeting. Ms. Cynthia Mares, Risk Manager, stated that when the other driver is at fault, they do request payment from their insurance carrier. She stated that when there is no insurance, they send a demand letter drafted by the County Attorney's office. Cmr. Gutierrez stated that the report shows glaringly which departments are the main culprits and stated that those departments needed to be scrutinized. Judge Bruni requested that they submit a

report based on the percentage of accidents versus the number of vehicles used by that department. Mr. Villarreal stated that the court needed to look at the number of confiscated vehicles being added to the county's fleet and whether or not they are truly needed. Ms. Cynthia Mares, Risk Manager, stated that the attorney's hired to represent Webb County in these matters are designated by the insurance agency based on the County Attorney's recommendation. She stated that the Sheriff specifically requested one attorney to handle specific cases for sheriff's employees. Mr. Mike Kazen, CAA Director, stated that some of the CAA state programs do cover insurance costs and that he would look into the claims presented since he believed they may include a claim for some stolen equipment. Cmr. Gutierrez recommended that they look into possibly requesting reimbursement from the state for some of these costs.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to move into Executive Session. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

EXECUTIVE SESSION (4:18 PM to 4:39 PM)

Judge Bruni reconvened the meeting and stated that no action was taken while in Executive Session.

Item No. 47 Discussion and possible action regarding Civil Action No. 2005-CVF-000092-D2 County of Webb vs. Paez; In the 111th District Court, Webb County, Texas. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)].

Mr. Homero Ramirez, County Attorney, stated that he gave his recommendations to the court in Executive Session and awaited their instructions. He stated that this case was set for trial.

Cmr. Gutierrez motioned to non-suit the person named in this case. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 48 Adjournment

Cmr. Gutierrez motioned to adjourn the meeting. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.